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In re Application of :  
William A. Denny et al :  
Serial No.: 10/070,530 : PETITION DECISION  
Filed: March 6, 2002 :  
Attorney Docket No.: 5966-01 :

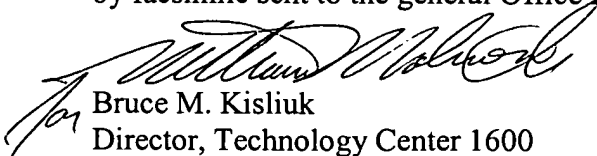
This is in response to the petition under 37 CFR 1.181, filed June 24, 2004, requesting withdrawal of abandonment based non-receipt of an Office action. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed an Office action to applicants on July 8, 2003, setting a one month shortened statutory period for reply. Applicants replied on October 8, 2003, including a two month extension of time and fee therefor, however the response was deemed informal in that status identifiers for each claim were not included. A Notice of Informal Amendment was mailed to applicants on October 16, 2003, setting a one month time period for reply. Upon failure to receive a reply a Notice of Abandonment was mailed to applicants on June 2, 2004. Applicants state that the Office action was never received and provide statements and copies of docket records establishing that no communications for this application were received. In view of the evidence and statements presented it is concluded that the Office action was not received. As a consequence the Notice of Abandonment is withdrawn and the application restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

**Inasmuch as applicants have provided a new copy of the claim amendments with proper identifiers with the petition, the application will be forwarded to the examiner for further consideration.**

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number 571-273-8300.

  
Bruce M. Kisliuk  
Director, Technology Center 1600

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